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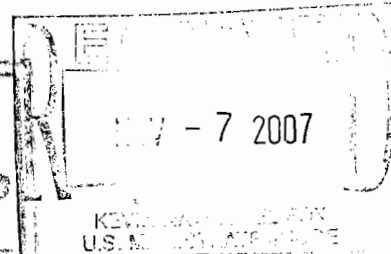
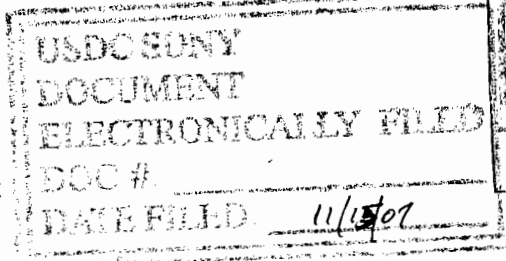
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November 6, 2007

By hand

Hon. Kevin N. Fox
United States District Court
500 Pearl Street
New York, NY 10007



Re: DB Structured Products, Inc. v. Lender, Ltd., v. CML Direct, Inc., 07 CV
4119 (DLC)

Dear Judge Fox:

I represent third-party defendant CML Direct, Inc. I ask that the settlement conference set for November 13 at 2:30 be adjourned for approximately thirty days, to a date convenient to the court. The reason for the request is that we have only recently appeared, having filed our answer on October 12, and believe that a settlement conference will not be fruitful until we have gotten more information about the claims. Attending the conference means that two client representatives, one from defendant and one from third-party defendant, must travel to New York City from Michigan for a conference that will be less productive now than one month from now.

I have spoken with Mark Kaufman, counsel for Lender, Ltd., who consents to this request. I tried to reach plaintiff's counsel Brendan Zahner, John Doherty, Kerry Cunningham and Richard Hans by telephone, but was unsuccessful. I have left a message with their firm, and will report their response to this request as soon as I have received it.

Respectfully,

Dennis M. Rothman

Dennis M. Rothman
LMH

11/13/07
Application granted.
The settlement conference will be
held on December 10, 2007, at
2:30 p.m.
SO ORDERED:
Kevin Nathaniel Fox
KEVIN NATHANIEL FOX, U.S.M.J.
cc (by e-mail):

Mark S. Kaufman, Esq.
Brendan E. Zahner, Esq.
John P. Doherty, Esq.
Richard F. Hans, Jr., Esq.
941670/018-7111